REMARKS

Favorable reconsideration of this application, as presently amended, is respectfully requested.

The specification has been amended to update the related case information on page 1.

Claims 1-27 are pending in the present application. Claims 1-4, 7-16, 18-20, 22-24, 26 and 27 were rejected under 35 USC 102(e) as being anticipated by Loveridge et al. '941. Claims 5, 17, 21 and 25 were rejected under 35 USC 103(a) as being unpatentable over Loveridge et al. '941 in view of Matama '274.

With reference to the rejection of claims 1-4, 7-16, 18-20, 22-24, 26 and 27 under 35 USC 102(e) as being anticipated by Loveridge et al. '941, first it is noted that claims 1, 9 and 13 have been amended to include a semicolon in the first paragraph of each claim to be consistent with the semicolons in the remaining paragraphs; while claims 2-4, 14-16 and 22-24 have been amended to include the term --said-- before "altering" so as to more positively refer to the altering step in the respective independent claims.

Regarding the reference to Loveridge et al. '941, this reference is not believed to anticipate or make obvious the specific features required by the claimed invention. Claim 1 relates to a method that comprises obtaining a first set of information representing an artifact to a first degree of quality; obtaining a second set of information representing the artifact to a second degree of quality different from the first degree of quality; determining which of the first set of information and the second set of information represents the artifact to a higher degree of quality and which represents the artifact to a lesser degree of quality; and altering the set of information representing the artifact to a lesser degree of quality, based on the set of information representing the artifact to a higher degree of quality.

Therefore, as required by claim 1, a first set of information representative of an artifact in a signal of a first degree of quality is obtained. Thereafter, a second set of information representing the noted artifact to a second degree of quality different from the first degree of quality is obtained. As described on page 8 of the specification, the term artifact is used within the context of the present invention to represent a property, attribute or characteristic of a signal. The reference to Loveridge et al. is not believed to show or suggest the concept of obtaining first and second information representative of a specific artifact as required by claim 1. More specifically, in the reference to Loveridge et al., a digitized image and at least one more digitized image are converted to a common color space. Thereafter, the number of pixels in each of the color

converted images must be substantially matched with respect to the number of pixels, and corrections can be made to the color and pixel number converted digitized images to correct for any difference in their global geometry. Therefore, in the reference to Loveridge et al., first and second images are converted to a common color-space as schematically shown in the flow chart of Figure 3. Thereafter, several additional conversions with regard to pixel and geometry are performed. This is different than the method of claim 1, wherein a first set of information representative of a specific artifact to a first degree of quality is obtained, and thereafter a second set of information representative of the noted artifact to a second degree of quality is obtained. The reference to Loveridge et al. is not believed to show or suggest the review of a signal so as to obtain a first set of information representing an artifact to a first degree of quality, and obtain a second set of information representing the noted artifact to a second degree of quality different from the first degree of quality.

Accordingly, the reference to Loveridge et al. is not believed to show or suggest the features of claim 1.

Claims 2-4, 7-8 and 27 depend either directly or indirectly from claim 1 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the reference to Loveridge et al.

Claim 9 relates to a digital film development system which includes a film-processing system and a data-processing system. Claim 9 further requires a processor having a memory and a program of instructions that includes the instructions for obtaining a first set of information representing an artifact to a first degree of quality; and obtaining a second set of information representing the artifact to a second degree of quality different from the first degree of quality. The reference to Loveridge et al. is not believed to show or suggest the specific combination of elements of the digital film developing system as required by claim 9, and more specifically is not believed to show or suggest the specific combination of the film-processing system and data-processing system. Further, for the reason noted above with respect to claim 9, the reference to Loveridge et al. is not believed to show or suggest a program that includes instructions to obtain the first and second set of information respectively representing an artifact of a first degree of quality and a second degree of quality different from the first degree of quality.

Accordingly, the reference to Loveridge et al. is not believed to show or suggest the features of claim 9.

Claims 10-12 depend either directly or indirectly from claim 9 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied reference.

Claim 13 relates to a digital image tangibly embodied in a computer readable medium. For the reason noted above with respect to claims 1 and 9, the reference to Loveridge et al. is not believed to show or suggest the specific steps of obtaining a first set of information and a second set of information as required by claim 13, which respectively represent an artifact to a first degree of quality and the artifact to a second degree of quality.

Accordingly, Loveridge et al. is not believed to anticipate or make obvious the specific features required by claim 13.

Claims 14-16 and 18-20 depend either directly or indirectly from claim 13 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied reference.

With respect to this rejection, it is noted that claims 22-24 and 26 depend either directly and indirectly from claim 21. These claims set forth further unique features of the present invention and are also believed to be allowable.

Accordingly, the reference to Loveridge et al. is not believed to show or suggest the features of claims 1-4, 7-16, 18-20, 22-24, 26 and 27.

With reference to the rejection of claims 5, 17, 21 and 25 under 35 USC 103(a) as being unpatentable over Loveridge et al. in view of Matama, the reference to Loveridge et al. and its applicability to the claimed invention has been discussed. The reference to Matama which was cited to show the concept of using an analog image, does not correct the deficiencies of Loveridge et al. with respect to the claimed invention. That is, the references to Loveridge et al. and Matama, whether considered individually or in combination, do not show or suggest the specific features of the claimed invention as discussed above, including the concept of obtaining a first set of information representing an artifact to a first degree of quality, and a second set of information representing the noted artifact to a second degree of quality different from the first degree quality. The references further do not show or suggest the additional steps with respect to the first and second degree of information as also required by the claimed invention. Therefore, the reference to Loveridge et al. and the reference to Matama, whether considered individually or in combination, are not believed to show or suggest the features of claim 5 as well as claim 1 from which claim 5 depends; and claim 17 as well as claim 13 from which claim 17 depends.

With respect to claim 21, this claim relates to a method that comprises illuminating an image; recording at least one digital representation of the image; selecting, from the at least one digital representation, a first set of

information representing a portion of the image; selecting, from the at least one digital representation, a second set of information representing a portion of the image, with the second set of information being different from the first set of information; generating, from one of the first set of information and the second set of information, a shepherd artifact representing an image artifact with a higher degree of quality; generating, from the other of the first set of information and the second set of information, a sheep artifact representing the image artifact with a lesser degree of quality; and altering the sheep artifact using the shepherd artifact to improve the degree of quality with which the sheep artifact represents the image artifact.

For the reason noted above, the references to Loveridge et al and Matama do not show or suggest the concept of obtaining or selecting a first set of information representing a portion of an image and a second set of information representing the noted portion of the image which is different from the first set of information. The reference to Loveridge et al. relates to the taking of a first digitized image and a second digitized image and converting them to a common color space and other common elements as noted in Figure 3, prior to the combination of the images. Further, the references to Loveridge et al. and Matama are not believed to show or suggest that the first set of information is selected from at least one digital representation of an image and that the second set of information is selected from the noted at least one digital representation of the image. Thus, the references to Loveridge et al and Matama are not believed to show or suggest the combination of steps required by claim 21.

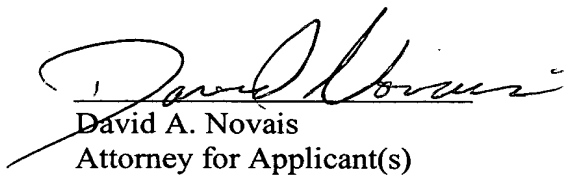
Accordingly, Loveridge et al. and Matama, whether considered individually or in combination, are not believed to anticipate or make obvious the specific features required by claim 21.

Claim 25 depends from claim 21 and sets forth an additional unique feature of the present invention which is also not believed to be shown or suggested in the applied references.

Accordingly, Loveridge et al. and Matama, whether considered individually or in combination, are not believed to anticipate or make obvious the specific features required by claims 5, 17, 21 and 25.

In view of the foregoing comments, it is submitted that the inventions defined by each of claims 1-27 are patentable, and a favorable reconsideration of this application is therefore requested.

Respectfully submitted,



David A. Novais
Attorney for Applicant(s)
Registration No. 33,324

DAN/ld
Rochester, NY 14650
Telephone: 585-588-2727
Facsimile: 585-477-1148